**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE R.BASANT**

**WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929**

**Bail Appl..No. 6818 of 2007**

**(CRIME NO. 277/2007 OF KUMBALA POLICE STATION)**

**PETITIONERS/ACCUSED NOS.1 AND 2**

**1. ANZAR,S/O.MUHAMMED**
**SAINA MANZIL, NEAR MUTTAM GATE**
**SHIRIYA VILLAGE**

**2. MUHAMMED ASHARAF,S/O.ADAM,**
**M.H.QUARTERS, MUTTAM GATE**
**SHIRIYA VILLAGE**

**BY ADV. SMT.T.SUDHAMANI**

**RESPONDENTS: COMPLAINANT**

**THE STATE OF KERALA REP.BY**
**PUBLIC PROSECUTOR**
**HIGH COURT OF KERALA**
**ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI. S.U. NAZAR**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**R.BASANT, J.**

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B.A.No.6818 of 2007

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Dated this the 7th day of November 2007

**O R D E R**

Application for regular bail. The petitioners face allegations for offences punishable inter alia under Section 308 I.P.C. The crux of the allegations is that on 24/10/2007, the petitioners have thrown stones at a bus plying along the road and had caused injuries to two passengers who were travelling in the bus. The accused were arrested on 25/10/2007. They continue in custody from that date. The petitioners are accused 1 and 2 in the crime.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and that appropriate conditions are imposed in the interests of the law and order situation in the locality and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions. The learned Public Prosecutor submits that instances of attack on the buses are increasing in the locality.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 09/11/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

iv) Except for the purpose of complying with condition No.iii) above, the petitioners shall not enter the jurisdiction of Kumbala police station during the said period of two months.

**(R.BASANT, JUDGE)**

jsr

**R.BASANT, J.**

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007